

# EXHIBIT 1

## Donna Watson

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**From:** Donna Watson <dwatson@wmbac.com> on behalf of W. Kyle Carpenter <kcarpenter@wmbac.com>  
**Sent:** Tuesday, May 21, 2019 4:12 PM  
**To:** Laura Chapman; 'yparsafar@sheppardmullin.com'; cain@scottandcain.com; Mary Tom-Hum (MTom-Hum@sheppardmullin.com); ACTWIN-SM-Team  
**Cc:** 'jhorton@pl-iplaw.com'; 'rpitts@pl-iplaw.com'; 'Raymond E. Stephens'; W. Kyle Carpenter  
**Subject:** ACT v. WIN, USDC ED TN, Case 3:18-cv-00186-TRM-HBG

This will acknowledge receipt of the expert reports for David Nolte, Stephen Sireci, and Andrea Martone. All three are designated "highly confidential – attorneys' eyes only." Having read through them quickly, it is not apparent to me whether they are so marked because of confidential information of ACT, or confidential information of WIN. Obviously, we need to obtain the reaction and ideas as to the best way to respond to these reports from Teresa Chasteen and others at WIN. Thus, we would request that the attorneys' eyes only designation be removed.

Alternatively, we would request that highly confidential information of ACT be redacted so that we can share the remainder of the reports with Teresa. If this proves unsatisfactory, we may need to address this again in the future.

Because of our impending deadline, your prompt attention to this request is certainly appreciated.

W. Kyle Carpenter



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**From:** Mary Tom-Hum [<mailto:MTom-Hum@sheppardmullin.com>]  
**Sent:** Monday, May 20, 2019 11:56 PM  
**To:** W. Kyle Carpenter; Jake Horton; Robert Pitts; [rstephens@pl-iplaw.com](mailto:rstephens@pl-iplaw.com)  
**Cc:** Laura Chapman; Yasamin Parsafar; ACTWIN-SM-Team; Chris Cain  
**Subject:** RE: ACT v. WIN, USDC ED TN, Case 3:18-cv-00186-TRM-HBG

Counsel,

Attached is an electronic copy of the following:

- EXPERT REPORT OF ANDREA (DREY) MARTONE, Ed.D.

This report contains information designated **HIGHLY CONFIDENTIAL-ATTORNEYS' EYES ONLY** pursuant to the Protective Order.

Thank you.

Very truly yours,